



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/348,529	07/07/1999	ALAN SLATER	CITI0109-US	5359

27510 7590 02/03/2003

KILPATRICK STOCKTON LLP
607 14TH STREET, N.W.
SUITE 900
WASHINGTON, DC 20005

EXAMINER

FELTEN, DANIEL S

ART UNIT PAPER NUMBER

3624

DATE MAILED: 02/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/348,529

Applicant(s)
Slater et al

Examiner
Daniel Felten

Art Unit
3624



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Nov 22, 2002
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

DETAILED ACTION

1
2 1. Receipt of the amendment filed November 22, 2002 amending claims 1 and 24 and
3 adding claims 40-49 is acknowledged. Claims 1-49 are remain pending in the application and
4 are presented to be examined upon their merits.
5

Response to Arguments

6
7 2. Applicant's arguments with respect to claims 1-39 have been considered but are moot in
8 view of the new ground(s) of rejection.
9
10

Claim Rejections - 35 USC § 103

11
12
13 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
14 obviousness rejections set forth in this Office action:

15 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
16 in section 102 of this title, if the differences between the subject matter sought to be patented and the prior
17 art are such that the subject matter as a whole would have been obvious at the time the invention was made
18 to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
19 negatived by the manner in which the invention was made.
20

1 4. Claims 1-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moreau (US
2 5,590,196) in view of Isizuka et al (hereinafter "Ishizuka", US 5,282,050).

3
4 **Re claims 1, 24, 40 and 45:**

5 Moreau discloses an apparatus and method for image based transactions (see Moreau
6 Abstract), comprising:

7 receiving at a first location at least one instrument and cash having a front and back face;
8 scanning, with a scanner (fax machine or facsimile),to create a deposited instrument or
9 an electronic validation of deposited cash (see Moreau, col. 1, ll. 46-59);

10 transmitting an image, with image transmitting means (fax machine or facsimile), of the
11 scanned deposited instrument or cash from the first location to a second location (see Moreau,
12 col. 6, ll. 47 to col. 7, ll. 13); and

13 transmitting an image of the scanned deposited instrument or cash from the first location
14 to a second location (see col. 6, ll. 47 to col. 7, ll. 13); and

15 processing a transaction at the second location with the scanned image of the deposited
16 instrument or electronic validation of deposited cash, *without verification of the signature of a*
17 *user initiating the transaction in the case of a deposited instrument, which signature is used to*
18 *verify that the user is a profiled user with a specified system*, whereby pickup of said at least one
19 of an instrument and cash received at the first location can be delayed or eliminated, resulting at

1 least in cost savings or improvements in payment settlement times by processing the transaction
2 with the scanned image at the second location (see col. 6, ll. 47 to col. 7, ll. 13).

3 Moreau fails to disclose scanning the front and back face of at least one instrument
4 and/or cash.

5 Ishizuka discloses a fax machine with the ability to scan both sides of a document (see
6 Ishizuka, figs. 2 and 10, Abstract; and col. 1, ll. 33 to col. 2, ll. 19). It would have been obvious
7 for an artisan of ordinary skill at the time of the invention to substitute the fax machine of
8 Moreau for the dual scanning fax machine of Ishizuka because an artisan at the time of the
9 invention would have considered them art recognized equivalents having no unexpected features
10 to one of ordinary skill in the art.

11 Furthermore, an artisan or ordinary skill in the art would have recognized the convenience
12 of integrating a dual scanning fax machine into the Moreau system to provide the ability to scan
13 documents with print on both sides. Thus such a modification would have been an obvious
14 expedient to one of ordinary skill in the art.

15
16 **Conclusion**
17

18 5. Any inquiry concerning this communication or earlier communications from the examiner
19 should be directed to **Daniel S. Felten** whose telephone number is (703) 305-0724. The
20 examiner can normally be reached between the hours of 7:00AM to 5:30PM Monday-Thursday.
21 Any inquiry of a general nature relating to the status of this application or its proceedings should

1 be directed to the Customer Service Office (703) 306-5631, or the examiner's supervisor
2 **Vincent Millin** whose telephone number is (703) 308-1065.

3
4 6. Response to this action should be mailed to:

5
6 Commissioner of Patents and Trademarks

7 Washington, D.C. 20231

8
9 for formal communications intended for entry, or (703) 305-0040, for informal or draft
10 communications, please label "Proposed" or "Draft".

11 Communications via Internet e-mail regarding this application, other than those under 35
12 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be
13 addressed to [daniel.felten@uspto.gov].

14
15 All Internet e-mail communications will be made of record in the application file. PTO
16 employees do not engage in Internet communications where there exists a possibility that
17 sensitive information could be identified or exchanged unless the record includes a properly
18 signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly
19 set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and
20 Trademark on February 25, 1997 at 1 195 OG 89.

21
22
23  DSF

24 January 27, 2003

21
22
23 
24 VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600